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TO MY READERS.

The TRIAL, in the case of an Information against me by the Attorney General, the result of which, so mortifying to my friends, will be read in the daily prints, having occupied my attention and time, during the whole of the week, I hope my Readers will excuse my not writing any thing in this present Number.—It is necessary, that the Register should go to the press finally by *Friday noon*; and, of course, it being now past twelve o'clock, there is no time for the insertion of any thing, upon the subject of the Trial, this week.—In my next Number, I shall endeavour to make up for this omission.

W^m. COBBETT.

London, 15th June, 1810.

PRIVILEGE OF PARLIAMENT.

(From the Statesman.)

Sir;—I have read, with no inconsiderable degree of interest, the speech of Mr. Ponsonby, in support of the claim of the House of Commons, to exercise summary jurisdiction in matters cognizable by the ordinary Courts of Law. It appears to me, that this Leader of Opposition has, with the subtlety of a *Nisi Prius* Pleader, omitted to notice, or has touched with a purposed delicacy, some striking features of the case in question; and, being anxious to anticipate, if possible, the approaching season of proscription, I solicit your early insertion of a few remarks on the doctrines which have been lately received with such applause by the lower House of Parliament.

It is a striking fact, Sir, and somewhat remarkably coincides with Mr. Ponsonby's philippic against Kings, that these doctrines were first enforced to any considerable extent by that House of Com-

mons which abolished the monarchy of England, and annihilated the legislative authority of the House of Lords. The leading Members of that Assembly had suffered severe persecutions from the Agents of the Court; and when they became in their turn possessed of power, they were eager to retaliate, and, selecting as their first victims delinquents who had, by a variety of crimes, justly excited the public indignation, they were supported in the exercise of a "vigour beyond the law," by the voice of a thoughtless people. As a specimen of the spirit by which those who, at that period, "rallied round Parliament," were actuated against an obnoxious individual, I shall quote the reply made by Mr. St. John, one of Mr. Ponsonby's worthies, to the irrefragable argument of the Earl of Strafford, that the impeachment against himself was not founded on any statute:—"He that would not have others to have a law, why should he have any himself? Why should not that be done to him that himself would have done to others? It is true, we give law to hares and deers, because they be beasts of chace. But it was never accounted either cruelty or fool play to knock foxes and wolves on the head, because these be beasts of prey."—Such, Sir, was the language, such were the principles of the Statesmen, whose humane and enlightened decisions afford the House of Commons the most abundant examples of summary proceedings against the impugners of parliamentary privilege. Most wise is the political maxim which Sallust attributes to Julius Caesar:—"Omnia mala exempla ex bonis initiis orta sunt; sed ubi imperium ad ignavos, aut minus bonos pervenit, novam illud exemplum ab dignis et idoneis ad indignos et non idoneos transfertur." It seems to be the decree of Providence, that no violation of justice shall finally pass unpunished. If the claim lately asserted with so much haughtiness by certain Members of the House of Commons, be established, severe will be the penalty which the inhabitants of these kingdoms will be doomed to pay for the transgressions of their forefathers.—But in my humble opinion, Sir, the very

statement of this claim is sufficient at once to effect its condemnation. The claim in question is of this alarming extent—That the House of Commons has a right to compel the appearance of any person not being a Peer of the Realm, who is charged with a breach of its Privileges—that its Members have a right, after originating an accusation on this head, to sit as Judges in their own causes, and to put the accused party on his trial, without the aid of counsel—and, after hearing evidence unsworn, nay, without hearing evidence at all, to give judgment against the culprit, and to imprison him during their pleasure.—It is indisputably evident, Sir, that this claim involves in its admission the surrender to the caprice of the House of Commons for the time being, of the personal liberty of every subject of these realms, who ventures publicly to call into question the conduct of public men, or to state his disapprobation of public measures.—This claim it seems, Sir, is to be maintained by an appeal to precedents. But will any candid and enlightened man pay respect to any precedents, however numerous, or to any usage, however ancient, by which such a claim may be supported? I confidently answer “No,” and apply to this subject the manly language of Mr. Fox, who, on the question of the abatement of an impeachment on a dissolution of parliament, observed, that, “with regard to the force of precedents on constitutional points, had the dispensing power claimed by the Stuarts been decided by precedent, it might perhaps have been found to be good: but that where any usage appeared subversive of the Constitution, if it had lasted for one or two hundred years, it was not a precedent, but an usurpation.”—Now, with the single exception of a direct controul of our civil authorities by a military force, I cannot, Sir, conceive a more flagrant violation of the principles of the Constitution, than the claim, the merits of which I now take the liberty to discuss. One of the most glorious characteristics of the Constitution is an anxious and jealous protection of personal liberty. In cases of the highest misdemeanors, provision is made by law, to allow the accused party time to prepare for trial; and he is permitted, upon giving bail, to be at large till the moment of his conviction. On his trial he is allowed Counsel to conduct his defence. The evidence against him is given on oath. He is tried by a Jury,

whose impartiality is secured by every possible precaution—and should he be found guilty, the discretionary sentence which may be passed upon him is definite in its duration. In addition to all these safeguards against wrong, various provisions are made for the rectifying by superior courts of errors committed by subordinate authorities. Again, for the due administration of justice in ordinary cases, it is provided, that the accused party shall be tried in the county or sheriffdom where the criminal acts imputed to him are alleged to have been committed, by which wise provision much expence is saved to Defendants, and they enjoy, what is an invaluable blessing to the innocent, something approaching to an appeal to their vicinage. With pride as an Englishman, and with grateful admiration of the wisdom of our ancestors, do I express my conviction, that in ordinary cases the criminal jurisprudence of our country, in its practical administration, approaches nearly to perfection.—But what is the process attempted to be enforced by the House of Commons? At the will and pleasure of, perhaps, a dozen of its members, a man may be dragged to their Bar from the rocks of Orkney, or from the verge of the Land's End. Or, if the harsh sound of turbulent patriotism should grate upon their honourable ears from the coasts of Donegal, the culprit may be hurried across the Channel, to answer for his want of courtesy. He is put upon his trial *instantly*. However incompetent he may be to speak on his own behalf, no one is allowed to plead for him. The witnesses which may be produced against him, are not awed by the sanction of an oath; and when his hasty and ill-arranged defence is finished, he may, by a simple vote of the House, be consigned to imprisonment, not for any definite length of time, but during the will and pleasure of those who have acted in the double capacity of his accusers and judges.—The common sense of mankind, Sir, revolts against this claim, as it is thus analyzed; and it accordingly happens, that the attempt to enforce it upon men of resolute minds has frequently reduced the House of Commons to serious embarrassments, and rendered it the object of odium and contempt. “In the reign of Charles II.” says Hume, “the liberty of the subject, which had been so carefully guarded by the Great Charter, and by the late law of Habeas Corpus, was every

"day violated by the arbitrary and capricious commitments of the Commons. —At last the vigour and courage of one Stowel, of Exeter, put an end to the practice. He refused to obey the Serjeant at Arms, stood upon his defence, and said, that he knew of no law by which they pretended to commit him. The House, finding it equally dangerous to proceed or to recede, got off by an evasion: they inserted in their votes that Stowel was indisposed, and that a month's time was allowed him for the recovery of his health."—In the Case of the Aylesbury men, in the reign of Queen Anne, which Lord Milton seems to quote with so much pride and satisfaction, the violent proceedings of the House of Commons led to such embarrassments, that to cut the knot, the Queen was obliged to dissolve the Parliament. The summoning of the Printers in 1771 established a practice which the House prohibited; namely, the practice of publishing the debates in Parliament. Mr. Adam, the gratuitous trustee of the Duke of York, has alluded to the ridiculous defeat which it sustained in a contest with the celebrated Mr. Horne, now better known by the name and title of John Horne Tooke, Esq. I need not remind you, Sir, that when during his unconstitutional expulsion, John Wilkes was summoned to attend at the bar of the House, he refused so to do; and that the Commons, to get rid of the difficulty, summoned him for a future day, over which they took care to adjourn.—And what has the House gained by the committal of John Gale Jones? Of that gentleman, I will not affect to speak slightly. The firm endurance of misfortune excites, in my mind, emotions of respect. But, I trust, that the honest pride of Mr. Jones himself will not be offended, when I state my opinion, that neither his condition in life, nor his influence in society, rendered necessary the proceedings which, at the instance of Mr. Yorke, were adopted against him. His demeanour at the Bar of the House of Commons evinced that it was not his aim to obtain a vulgar popularity by systematic insolence; and I am persuaded, that even the majority of those who may have thought him wrong, in the first instance, are at present persuaded, that, considering the long duration of his imprisonment, he is "more sinned against, than sinning."—In its subsequent warfare with Sir F. Burdett, the House has involved itself in a

multitude of perplexities, of which the public may be permitted to think, that they have not tended to add to its dignity.—If, Sir, the House of Commons appeal to precedent in support of the claim of privilege, which I am now taking the liberty to examine, the people will also appeal to precedent to shew how this privilege has been abused. They will remind each other of the "arbitrary and capricious commitments" in the reign of Charles II. They will recollect, that in the year 1704, five individuals having brought an action in the Queen's Bench against the Constable of Aylesbury, for refusing to take their votes at an Election for that Borough, were by the House of Commons imprisoned for so doing—that these individuals, having attempted to obtain their liberty by writs of Habeas, the House proceeded to imprison the Solicitor and Counsel who had sued out the said writs, and pleaded for the prisoners upon their return.—The people, Sir, will not fail to remember, that when this House of Commons was apprehensive that the prisoners in question might, by the legal operation of Writs of Error, be liberated from Newgate, it ordered the Serjeant at Arms to take them into his own custody, and transfer them to the Gatehouse; which order, say the Lords in an Address to her Majesty on this subject, "was executed at midnight, with such circumstances of severity and terror as has been seldom exercised towards the greatest offenders." In this transfer of custody, Sir, a vigilant public will see a proceeding which a mole-eyed corps of precedent-hunting lawyers may quote as an authority which may justify some future House of Commons in transferring its victims to Cold Bath Fields or to the rocks of Scilly.—The people of England, Sir, will watch with anxiety the legal proceedings which are now pending; and if they find that the momentous question of the power of the Speaker's warrant is precluded from being decided by a Jury; if they hear a confirmation of the doctrine laid down by Mr. Justice Powell and Mr. Justice Gould, in Hilary Term 1704, "that if, upon inspection of the Speaker's Warrant, it simply appears that any suitors of the Court of King's Bench are committed by the House of Commons, the jurisdiction of that Court ceases," they will feelingly agree with the remark made upon the assumptions of the House of Commons, of 1704, by the Lords, which declares in substance, that,

"in no country where the government is not arbitrary, is the judicature in the last resort placed in the hands of the originators of law and prosecution."—If the doctrine of Justices Powell and Gould be maintained, "*Dii meliora pus*," if it be solemnly decreed that no Court is competent to examine whether a subject, under restraint by the Speaker's Warrant, as issued by order of the House of Commons, be detained for lawful and sufficient cause or otherwise, then, Sir, the people will anxiously inquire, what this House of Commons is, and how it is constituted. Be not alarmed, Sir, I will not afflict you with the thrice-told tale of Old Sarum, St. Mawes, and St. Germain's. I will not torment you by analyzing the masterly Report delivered to the Society of the Friends of the People, on Saturday, the 9th of February, 1793. On this topic we may come to an important conclusion by a much shorter way. Of late years, Mr. Justice Blackstone, in whose luminous pages I was early taught to trace and to venerate the principles of the English Constitution, has been condemned as a visionary theorist, and we have been incessantly referred to the "practice of the Constitution." And in the course of this practice it is established as a political axiom, that the Prime Minister of the Crown, for the time being, must bear sway over the House of Commons. So firmly indeed is this axiom established, that when the Minister loses that sway, he at the same time loses his office. Behold, then, Sir, into what a monstrous proposition the claim of the House of Commons resolves itself, namely, "That the Minister for the time being shall have power, by the instrumentality of that House, to imprison during his pleasure any of his Majesty's subjects, whose political acts can, by any ingenuity, be interpreted as trenching upon its privileges." It was justly observed by Junius, that "the undue influence of the Crown may answer every purpose of arbitrary power."—I need not point out to you, Sir, how dangerous an annoyance this power, if formally sanctioned by law, will be to the friends of Opposition. If, however, the Opposition occasionally call for the exercise of it, for decency's sake, the Minister will not be able to deny them that exercise. Then will be repeated the scene between the triumvirs, so well described by our immortal bard, in the tragedy of Julius Cæsar. Victims will be mutually interchanged. Some

future Ponsonby may demand the incarceration of a Redhead Yorke; and some Ryder yet unborn, may say to some future reversionist, "Prick him down Perceval." The Minister may demand the sacrifice of a Perry; and the leader of Opposition may cry, "Look, with a spot I damn him!" The effect of such proceedings on the nation at large, I leave to the consideration of all those who wish well to the Constitution of their country; and I call upon the people of the United Kingdom to meditate upon this truth, that it is mainly by having had recourse to the law of the land, to prevent the possibility of their occurrence, that Sir Francis Burdett has incurred the avowed displeasure of the two parties into which the House of Commons is now divided.—What, then, it may be said, is the House of Commons to be stripped of its privileges? God forbid! Let that House be armed with every privilege which is necessary to enable it to execute its important trust. If an humble individual may be allowed to give an opinion upon such high matter, I would beg leave to suggest the following clue, which may serve as a guide through the labyrinth in which men's thoughts seem to wander upon the subject of privilege. Let us hear no more of constrictive obstructions; but let privilege operate to remove every real obstruction, that word being still construed in a large and liberal sense. If in the course of any inquiry a witness, being summoned, refuses to attend, let the House arrest and punish him; because he obstructs the public business.—If any one under examination before the House stand contumaciously mute, behave indecorously, or prevaricate, let it commit him, because he obstructs the public business. This process evidently grows out of the necessity of the case, and can never be invidiously resorted to. In these, and similar instances of wrong, redress can be had in no other Court, and the House is compelled to redress itself. But in cases of libel, the general cause of committals, no real obstruction occurs. The Courts below are open, and you may rest assured, that if the complaints of the House on this head are not captious and frivolous, the offending parties will be convicted, and that they will be visited with a much severer punishment than any which its Members would choose to inflict. I remain, Sir, Yours, &c. W. SHEPHERD.

Gate-acre, near Liverpool.

JOHN BOWLES'S NEW SOCIETY; OR SHAM
LOYALTY UPON ITS LAST LEGS.

The spirit of disaffection, which has recently made its appearance in the metropolis, and in some parts of the country, denotes that there still exists amongst us a body of men, whom no experience of the calamities attendant upon violent changes can moderate, and whose inveterate hostility to the establishments of our country no reasoning can reclaim. Even the great external danger which menaces the nation, does not seem to disarm their virulence, or even from a sense of public or individual safety, to contain their disorderly spirit within the limits of discretion. We are inclined, however, to think that this disposition to mischief is not general. The lower orders of the people appear to be more under the influence of delusion, than of a premeditated determination to alienate themselves from their wonted reverence to the laws and constitution of their country. Of this fact we are the more convinced since the establishment of that iron reign of tyranny in France, which has put an end to those visionary and abstract notions respecting the principles of government, which some years ago convulsed the world, and in a more particular manner seduced the understandings and affections of the common people from the venerable constitution of our country. The people, it is to be hoped, have divorced from their minds those pernicious theories, which they had once striven to reduce into practical effect. But it is to be lamented, that whether deceived by the artifices and hopeless impenitence of men, whose deep-rooted animosity to our form of government neither time nor experience can allay; or moved by well-intentioned, though fallacious, ideas of liberty; a considerable portion of the people are, at the present moment, imposed upon by the intrigues of designing, desperate, and unprincipled demagogues, instigated to the unblest work of mischief by the peculiar circumstances of the times. In the prosecution of their objects, necessarily leading to civil disorders, they have resorted to all the usual practices, to which, since the press has acquired an ascendancy over the public mind, the enemies of religion and regulated government have resorted. They have converted the press, which ought to be a wholesome instrument of public instruction, into an engine for the circulation of the most pernicious maxims. They

have indeed so far succeeded, as to make it, in every respect, subservient to their own views; and while dangerous doctrines, inculcating an audacious resistance to the laws, are widely dispersed through that powerful medium, no counteracting exertions have been hitherto employed to render it an useful auxiliary of the laws, of good morals, and of social order.—While seditious and unseemly ballads are incessantly sung in the streets, to ungodly tunes; while inflammatory hand-bills are distributed and posted in every quarter of the town; and while the periodical press is mischievously engaged in disseminating principles subversive of the laws and constitution; it surely cannot be thought inexpedient, or unworthy of the concurrence of loyal men, to combine for the purpose of interposing an effectual check to such alarming licentiousness. The public disorder increases more by the indifference or apathy of the good, than by the boldness of the wicked. For if the friends of the constitution sleep, while its enemies are undermining its foundations, and assailing its bulwarks, it betrays a culpable want of common sense to suppose that the constitution itself will survive the secret machinations, and open attacks, which are directed against it. Prudence and the sentiment of national preservation dictate, therefore, that domestic agitators ought to be resisted, by the same means which they employ to mislead and to seduce the people. Why should not the press be as actively engaged in the circulation of good, as of bad principles? We can discover no other reason against this position than that too confident opinion, which is unfortunately prevalent among the friends of order, that the best frame of government in the world possesses the means of guaranteeing its own safety, without the interference of those who have the happiness to live under it, and be sensible of its blessings. This, however, is a fatal delusion, contradicted by the evidence of history, and by our knowledge of human nature. For an active, indefatigable, and daring faction, has on numberless occasions overcome the will and the influence of the general body of the people,—when that will and that influence have not been exerted in the repression of its measures.—Impressed with a conviction of the imminent danger consequent on a supine inattention to the practices of domestic incendiaries, and confident of the advantages which must infallibly result from a timely effort

to disabuse the public mind; several Gentlemen have for some time past individually contributed their efforts, and finding, even upon this small scale, a most sensible impression produced upon the public mind, are anxious to extend by a more enlarged co-operation the full effect which may be reasonably expected by printing and distributing gratis, or at a cheap rate, among the lower orders, proper antidotes to the pestiferous doctrines, which daily issue from the press under the direction of the disaffected.—On the strength of these principles, and on the certainty of the salutary effects which must flow from their exertions, (of which no doubt can be reasonably entertained, when the prodigious success of exertions on the opposite side is considered); the Gentlemen who have embarked in this loyal and laudable undertaking, without the least connection with any of the parties which now divide the interests and affections of a great portion of the community, invite all those who think as they do concerning the exigency of the times, and the necessity of counteracting the mischiefs which designing men are preparing against the peace of the kingdom, to co-operate in their constitutional and honest intentions, by contributing to a fund which they have already instituted, for the dissemination of sound and good principles among the lower classes of society.

The partnership of Bowles, Brickwood and Co. in Old Broad Street, being dissolved, contributions for the above purpose will be received by the Secretary, and by Messrs. Devaynes and Co. and Messrs. Praeds and Co. Bankers, in London; and Messrs. J. C. Beresford and Co. and Sir John Stewart, Bart. and Co. Bankers, in Dublin; and by Mr. Lloyd, Bookseller, Great Mary-le-bone Street; Mr. Asperne, Bookseller, Cornhill; and Mr. Walker, Bookseller, No. 192, near St. Clement's Church, Strand. By order of the Committee, A. B. TURNBULL, Secretary, No. 3, Bolt Court, Fleet Street.

N. B. Sums, however small, will be thankfully received; but, it is hoped, that no Bank-notes with those offensive words, "BURDETT FOR EVER," written upon them, will be sent. [A Commission of only 2½ per cent. will be charged, agreeably to the recommendation of the Report of the House of Commons relative to the Flemish Account of the Dutch Commissioners.]

PARISH OF ST. DUNSTAN IN THE WEST.

SIR;—Actuated by your acknowledged impartiality, and the excellent and unanswerable arguments you have employed against the assumed right of the House of Commons to imprison the subjects of these realms, for offences cognizable in the Courts of Law; I beg your attention to a few plain statements on the subject of a Declaration said to have been entered into at a Meeting of the Vestry of the Parish of St. Dunstan in the West, signed by the Rev. RICHARD LLOYD, A. M. the Vicar.

As that Declaration roundly charges all who have participated in the late Petitions and Addresses respecting the questions of Privilege and Parliamentary Reform, with "bold and alarming attempts to sow the seeds of dissention throughout the country," which attempts it regards "as proofs of political frenzy, or of foul sedition;" a brief but true account of the Declaration may be justly considered due to the loyalty and constitutional principles of those whom the author has thus flagitiously endeavoured to stigmatize and vilify.

I am, Sir, a Parishioner of St. Dunstan's in the West; and although neither so deeply versed in "Christian Theology," nor in those constitutions which were "the dreams of ancient sages," as the Rev. Richard Lloyd, A. M. Vicar and Chairman; I feel myself, as a plain man, and fond of truth, no less entitled to the notice of my brother parishioners, than the author of the Declaration in question. In the 1st place:—The Vestry was not called to take the Declaration into consideration but in the old customary way, for transacting the business of the Parish.—2dly, The number of persons who attended that Vestry, did not exceed sixteen.—3dly, The Declaration was introduced by the Rev. Mr. Lloyd himself, who, *ex cathedra*, earnestly and piously expatiated on the necessity of its adoption.—4thly, No opinion was given by the Meeting on the Declaration, although moved and seconded, nor was any decision taken upon it.—5thly, The Declaration was not signed by any one of the Vestrymen then present.—6thly, The Rev. Richard Lloyd, A. M. Vicar and Chairman, does not reside, either as a householder or lodger, in the Parish of St. Dunstan.

I readily acknowledge the zeal and ability with which the Rev. Mr. Lloyd dis-

charges the duties of his vicarial office; and both on that account, and for the "internal concord" of his flock, who for a very long series of years, have lived in peace and good-will towards each other, I sincerely lament that he should so unexpectedly have set himself up for their political, as well as their religious pastor.

A PARISHIONER OF ST. DUNSTAN'S
IN THE WEST.

First Report from the Select Committee on Proceedings relative to Sir Francis Burdett.—(Concluded from p. 864.)

"Upon the report from the Committee of Privileges and Elections, to whom this petition of J. Topham was referred, the House resolved, That this House doth agree with the Committee, that the judgment given by the Court of King's Bench, Easter Term 34 Car. II. Regis, upon the plea of John Topham, at the suit of John Jay, to the jurisdiction of that Court; and also the judgments given against the said Mr. Topham, at the suit of Samuel Verdun, &c. are illegal, and a violation of the privileges of Parliament, and pernicious to the rights of Parliament." Whereupon it was ordered, "That Sir Francis Pemberton, Sir Thomas Jones, and Sir Francis Wythens, do attend this House on Wednesday morning next."

"In consequence of this order, Sir Francis Pemberton and Sir Thomas Jones, who had been two of the Judges of the Court of King's Bench at the time when the judgment was passed, were heard in their defence; and afterwards committed to the Serjeant at Arms, for their breach of the privileges of this House, by giving judgment to over-rule the plea to the jurisdiction of the Court of King's Bench."

Your Committee think it proper to state, That Sir Francis Pemberton and Sir Thomas Jones, in defending themselves at the Bar of this House for their conduct in over-ruling the Plea to their Jurisdiction in the actions of Jay v. Topham, &c. defended the judgment they had given, by resting upon the nature of the pleading, and not by denying the jurisdiction or authority of this House; and Sir Francis Pemberton expressly admitted, that, for any thing transacted in this House, no other Court had any jurisdiction to hear and determine it.

Your Committee in the next place think it expedient to state to the House, that there are various instances in which per-

sons committed by the House of Commons have been brought up by Habeas Corpus before the Judges and Courts of Common Law; and in these cases, upon its appearing by the return to the Habeas Corpus, that they were committed under the Speaker's Warrant, they have been invariably remanded.

3. Having stated these instances of the manner in which the acts and commitments of this House have been brought into judgment in other Courts, and the consequences of such proceedings, your Committee further think it proper, and in some degree connected with this subject, to advert to the course which was adopted for staying proceedings in suits brought against Members and their servants, while they were protected from such suits during the sitting of Parliament.

The roll of Parliament, 8 Ed. II. affords the earliest trace which your Committee has found upon this subject. It is a writ from the King, confirmatory of the privilege of being free from suits in time of Parliament, and is in the following words:

"Rex mandavit Justiciaries suis ad assisas, jurat: &c. capiend assignat: quod supersedeant captioni corandem ubi commites barones et alii summonati ad Parl. regis sunt partes quamdiu dictum Parliamentum duraverit."

There have been various modes of proceeding to enforce this privilege. In Dewes's Journal, p. 436, 31 Eliz. 1588—1589, Friday 21st of February, your Committee find the following entry:—"Upon a motion made by Mr. Harris, that divers Members of this House having writs of Nisi Prius brought against them, to be tried at the Assizes in sundry places of this realm to be holden and kept in the Circuits of this present vacation, and that writs of supersedeas might be awarded in those cases in respect of the privilege of this House due and appertaining to the Members of the same; it is agreed, that those of this House which shall have occasion to require such benefit of privilege in that behalf, may repair unto Mr. Speaker, to declare unto him the state of their cases, and that he, upon his discretion (if the cases shall so require) may direct the warrant of this House to the Lord Chancellor of England, for the awarding of such writs of supersedeas accordingly."

But the House used to stay also proceedings by its own authority; sometimes by sending the Serjeant at Arms to deliver

the person arrested out of custody; and sometimes by letter from the Speaker to the Judges before whom the cause was to be tried. Of this latter mode of proceeding, your Committee find many instances previous to the 3d of Charles I. Your Committee find a decision against the authority of such a letter, in the Court of King's Bench, which is reported in the margin of Dyer's Reports, p. 60, and in Latch, pp. 48, and 150. And shortly after the refusal by the Court of King's Bench to notice this letter from the Speaker, the Parliament was dissolved. There are, however, many other instances of this course of proceeding after the Restoration; and in the instance of Lord Newburgh (23d February 1669) the House ordered the proceedings to outlawry to be staid during the Sessions, and the record of the exigents to be vacated and taken off the file.

The last instance which your Committee find of such letters having been written, occurs in the Lord Bulkeley's case in 1691, in which the Speaker is directed to write a letter to the Prothonotary that he do not make out, and to the Sheriff of the county of Pembroke, that he do not execute any writ whereby the Lord Bulkeley's possessions may be disturbed, until Mr. Speaker shall have examined and reported the matter to the House, and this House take further order thereon. By 12 and 13 W. III. c. 3. this privilege was curtailed; and further by Stat. 2 and 3 Ann, c. 18.—11 Geo. II. c. 24.—10 Geo. III. c. 50.

Lord Chief Justice De Grey says, in Crosby's case, "If a member was arrested before the 12 and 13 W. III. the method in Westminster Hall was to discharge him by writ of privilege, under the Great Seal, which was in the nature of a supersedeas to the proceeding. The statute of William has now altered this, and there is no necessity to plead the privilege of a Member of Parliament."—All these Acts merely apply to proceedings against Members in respect of their debts and actions as individuals, and not in respect of their conduct as Members of Parliament; and therefore they do not in any way abridge the ancient law and privilege of Parliament, so far as they respect the freedom and conduct of Members of Parliament as such, or the protection which the House may give to persons ~~discovered~~ after its authority.

4. Upon

Committee, that the bringing these actions against the Speaker and the Serjeant, for acts done in obedience to the orders of this House, is a breach of the privileges of this House.

And it appears, that in the several instances of actions commenced in breach of the Privileges of this House, the House has proceeded by commitment, not only against the party, but against the Solicitor and other persons concerned in bringing such actions; but your Committee think it right to observe, that the commitment of such party, Solicitor, or other persons, would not necessarily stop the proceedings in such action.

That as the particular ground of action does not necessarily appear upon the writ or upon the declaration, the Court before which such action is brought, cannot stay the suit, or give judgment against the Plaintiff, till it is informed, by due course of legal proceeding, that such action is brought for a thing done by order of the House.

And it therefore appears to your Committee, That even though the House should think fit to commit the Solicitor or other person concerned in commencing these actions; yet it will still be expedient that the House should give leave to the Speaker, and the Serjeant, to appear to the said actions, and to plead to the same; for the purpose of bringing under the knowledge of the Court, the authority under which they acted: and if the House should agree with that opinion, your Committee submits to the House, whether it would not be proper that directions should be given by this House, for defending the Speaker and the Serjeant against the said actions.

RESOLUTIONS, PETITIONS, REMONSTRANCES, &c. on the LIBERTY OF THE SUBJECT and PARLIAMENTARY REFORM, 1810.

SHEFFIELD MEETING.

RESOLUTIONS. June 6, 1810. At a Meeting of from seven to eight thousand of the Inhabitants of the Town and Neighbourhood of Sheffield, convened by public advertisement, and held this day in Paradise Square, by adjournment from the Town Hall, to take into consideration the Assumption of Privilege by the House of Commons, of imprisoning his Majesty's Subjects for Offences cognizable in the courts of



law; the subject of a Parliamentary Reform; and the propriety of returning Thanks to Sir Francis Burdett for his services to his Country, the following Resolutions were voted unanimously: MR. E. RHODES, in the Chair.

1. That the subjects of these kingdoms are entitled to personal liberty and security as their unalienable birthright, transmitted by their ancestors and confirmed by many venerable statutes; a high and sacred trust which they are determined if possible to leave unimpaired to posterity.

2. That no privileges subversive of these Rights can co-exist with the statutes which enacted and confirmed them; and while we fully acknowledge the competency of the Commons House of Parliament to punish contempts, and to remove obstructions to public business; we most solemnly maintain that it has no power to dispense with the unrepealed statutes of the Realm, by punishing at discretion such offences as cause no actual interruption of its proceedings, and are cognizable in the courts of Law.

3. That feeling the most ardent attachment to the constitution of our country, and jealous of the least infringement upon those Laws to which we owe our dearest enjoyments, we have observed with unaffected sorrow and alarm some recent proceedings of the honourable the House of Commons, by which it has assumed the power of depriving us of our personal liberty, contrary to the letter and spirit of many excellent statutes, which enact that "no Freeman shall be imprisoned but by the lawful judgment of his equals or the Law of the Land."

4. That in our opinion a Judge and Jury form the only proper and legal tribunal in cases of libel; and were the power now assumed by the House of Commons of deciding in all cases upon the nature and extent of their own privileges confirmed, it would have a fatal influence upon the liberty of the press, and might, in the hands of a corrupt and unprincipled administration, become a dreadful engine of despotism, and finally subversive of the English Constitution.

5. That the fatal wars in which we have been engaged, the lavish expenditure of public money, the exercise by the House of Commons of illegal and unnecessary privileges, its approbation of ruinous expeditions, its support of weak and arbitrary Ministers, its refusal to enquire into the shameful practice of trafficking

for seats and to adopt any plan of Reform, and all the other numerous grievances under which we have long been labouring, are entirely owing to the want of a well organized and more extended Representation of the People in Parliament.

6. That in order to arrest the progress of our national calamities, and avert those dangers which threaten the destruction of the state, it is our decided opinion, that the House of Commons should be restored to its constitutional dependence upon the people, whom it is its proper function to represent; that we highly approve the Petition to the Honourable House now read; that the Chairman and Requisitionists be authorized to sign it on the behalf of this Meeting, and that it be transmitted to Mr. Whitbread, who is hereby requested to present and support the same.

7. That from a full conviction that the present state of the Representation is the grand source of all our evils, and that no real, substantial, permanent benefits can be conveyed to the people, until they have the power of sending honest and independent men into the House of Commons, this meeting do most earnestly and respectfully suggest to all the counties, cities and towns of these kingdoms, the necessity of presenting petitions to parliament upon this subject on the opening of the next session, and of supporting by every means in their power, Sir Francis Burdett, Mr. Brand, and other Gentlemen who may co-operate with them in so important a work.

8. That from the recent decision upon Mr. Brand's Motion, it is too probable, that the almost unanimous voice of the nation in favour of that measure may continue to be disregarded by the present House of Commons. It is therefore become the duty of the people themselves, independently to exert the power remaining to them in the state, by embracing every opportunity of electing such members only, as will unequivocally promise their best exertions to obtain that Reform in Parliament, so absolutely essential to the salvation and permanent prosperity of the country.

9. That the Right Hon. Viscount Milton, when he solicited the honour of representing the County of York, did solemnly declare to the people at the Cloth Hall, in Leeds, that they should ever find in him an active enquirer into abuses; and were it in his power, he would root out the very seeds of Corruption;

but that his lordship by his conduct on the motion of Mr. Madocks, respecting Mr. Perceval and Lord Castlereagh's trafficking for seats, by his vote against the liberation of Mr. John Gale Jones, and more particularly by his vote and speech on Mr. Brand's motion for Reform, has insulted the people of England, and rendered himself unworthy of the confidence of his constituents.

10. That the Thanks of this meeting be given to Mr. Brand, for his motion, and speech in the House of Commons in favour of a Parliamentary Reform; to the 114 members by whom that measure was supported; to Lord Erskine and Sir Samuel Romilly, for their manly and eloquent defence of the good Old Laws of England, and the rights of their fellow subjects; and to Mr. Whitbread for his unremitting attention to his duty in Parliament, and his constant support of every measure favourable to the interests of the people.

11. That the warmest acknowledgments of a grateful people are more pre-eminently due to Sir F. Burdett, for his prompt and generous attention to the case of Mr. Jones; for his eloquent, learned, and constitutional Argument against the power assumed by the House of Commons, of imprisoning his Majesty's Subjects contrary to the laws of the land; and for his noble, his virtuous, his unre-mitted exertions, "through evil report and good report," in Parliament and out of Parliament, in support of the grand National Cause in which he is engaged.

12. That the Address to Sir F. Burdett, now read by the Chairman, expressive of the sentiments and feelings of this Meeting, be by him transmitted to the Honourable Baronet without delay.

13. That as the respectable men who are now uniting in the cause of Reform, have been the subjects of much calumny and abuse, and their motives most uncandidly and ungenerously misrepresented, we cannot separate without solemnly declaring our inviolable attachment to the Government of this Country as by Law established; that it is our firm determination equally to support the Rights of the Crown, the just privileges of the Commons, and the liberties of the people; that we want no impracticable plans, no fanciful theories, no vain speculations; that the sober and rational Reform for which we contend, has been declared necessary to the salvation of the State by the most virtuous Patriots and most en-

lightened Statesmen; and finally, that the whole extent of our demand is "the Constitution, the whole Constitution, and nothing but the Constitution."

E. RHODES, Chairman.

Resolved, That the Thanks of this Meeting be given to the Chairman, for his manly, able, and independent conduct in the Chair. 2. That the Thanks of this Meeting be given to the 24 Gentlemen who signed the Requisition for calling together the Inhabitants of the Town upon this important occasion.

To the Honourable the Commons of the United Kingdom of Great Britain and Ireland, in Parliament assembled.—
The ADDRESS and PETITION of the Freeholders and Inhabitants of the Town and Neighbourhood of SHEFFIELD.

Sheweth; That convinced, as we unalterably are, that your Honourable House is one of the main pillars of our admirable Constitution, (to which we are sincerely attached) it is with unfeigned regret we are compelled to consider that you have departed, in some respects, from the peculiar design of your institution, by combining the executive with the legislative functions, an evil which the penetrating Montesquieu foresaw might befall this happy country, and of which, he predicted, we fear too truly, that should it ever come to pass, it would effect the speedy decay and eventual destruction of our liberties.—Without recurring to other acts of your Honourable House, which have appeared to evince a disregard for the sentiments of your constituents, and to indicate that you are only nominally our Representatives, we will at present confine ourselves to the cases of Mr. John Gale Jones and Sir Francis Burdett, not without some hope that you will regret the severity of your proceedings towards those free-born subjects of our lawful sovereign, and that you will feel bound to restore them to their liberty, of which we conceive they have been unconstitutionally deprived.—We are well aware that your Honourable House has frequently claimed and exercised the right of imprisoning persons, members of the House of Commons, and also others not being members thereof, but we cannot help regarding such right as opposed to the Law of the Land, and subversive of our personal security.—On former occasions, when the claim and exercise of the privilege in

question have been resisted, your Hon. House, by adjourning beyond the time fixed for continuing the discussion upon such privilege, or by forbearing to persist in the resolutions you had passed, have frequently shewn the uncertain tenure of such claims, and tacitly admitted their inexpediency. It is because the exercise of this assumed privilege has been generally accompanied with so much lenity that it has not been viewed with that deep abhorrence, which we conceive its undefined and obnoxious nature is calculated to excite, and which has been described in the truest and most decisive language, by that Friend of the People, that firm supporter of injured innocence, Sir Francis Burdett. We beg leave respectfully to state to your Honourable House that we coincide entirely with the learned Argument used by the patriotic Baronet, and deem it unanswered and unanswerable.—While, therefore, we fully admit the propriety of your removing impediments to the freedom of debate, while we readily acquiesce in your right of punishing witnesses at your Bar for contempt and prevarication, while we object to no privileges which have for their sole design the prevention and removal of every obstacle to the discussion of those important subjects, and the pursuit of those necessary inquiries, which so frequently occupy your Honourable House, yet in cases like those of Mr. John Gale Jones and Sir Francis Burdett, cases wherein no violence was offered to your liberty of speech, no opposition made to your debates, no interruption given to your access to the House of Commons, nor any restraint upon your persons attempted; in such cases we are decidedly of opinion that we ought not to acknowledge your privilege; and we do most solemnly call upon your Honourable House to renounce, what we must deem an improper assumption of needless power.—We earnestly beseech your Honourable House to consider that Britons have rights which they ought never to relinquish—rights bought with the best blood of their forefathers, transmitted by them through a long line of patriotic ancestry, and bequeathed, as the noblest inheritance to their children.—For the exercise of one of these inalienable rights, through the medium of a free press, has your Hon. House punished two of our Countrymen, setting aside the ordinary course of law, and in your own cause

taking upon yourselves the office, which we humbly maintain belongs only to a jury, that of deciding whether the publication be libellous or not. At the same time we lament to learn, that in the execution of your Speaker's warrant, undue violence has been used to that law, which regards an Englishman's house as his castle.—With this terrific stretch of privilege we cannot but be dissatisfied, as we feel that not even our real representatives ought, on any occasion, to have the right or power of dispensing with the Charter of our liberties.—We imagine that we perceive another danger arising from the possession of privileges unlimited by law, which, if it were the sole danger, would prove their impropriety. If the two Houses of Parliament have power to define their own privileges, each may assert such as are incompatible with those of the other, and which, by their clashing interests, may produce the evils of anarchy and civil war.—Here we cannot refrain from adverting to certain sentiments said to have been delivered in your Honourable House; we mean hints, we had almost said directions given to the Judges of the Law, as to their future conduct in the actions brought by Sir Francis Burdett against the Speaker of the House of Commons, and the Serjeant at Arms. While we regard those sentiments with indignation, we trust that the Judges are so independent as to treat all such intimations, wherever and by whomsoever they may have been uttered, with deserved contempt, and that the Court of King's Bench will satisfy the country, that to Britons there is no wrong without a remedy, and that by them no violence can be suffered without an appeal to the law.—We solemnly assure your Honourable House, that we regard the aforementioned rigorous treatment of British Subjects, and many of the various evils which afflict the State, as arising immediately from the wretched policy of a weak and intolerant Ministry, but primarily from the imperfect state of the representation of the people. The Petition presented by Mr. Grey, now Lord Grey, in 1793, at the Bar of your Honourable House, fully details the most shameful abuses in the election of Members of Parliament, and numerous petitions since that time, some of them very recent, have made it unnecessary for us to expatiate on those grievances and abuses here.—We must, however, take this opportunity to complain, that those grievances and abuses

not only remain uncorrected, but that, judging from sundry recent proceedings of your Honourable House, we fear that it is the determination of a majority of your Members to perpetuate practices, which are avowedly the disgrace of many Borough Elections, which are in direct violation of the purity of your Honourable House, and which exist in open defiance of the strong resolutions upon that subject read by Mr. Madocks, when he made his motion respecting the corrupt traffic and revocation of a seat by two of his Majesty's Ministers, in the case of Mr. Quinin Dick, into which case, flagrant and aggravated as it appeared, you refused to make any inquiry.—Under all these circumstances, we cannot, without the greatest sorrow, contemplate the fate of Mr. Brand's motion on the subject of Parliamentary Reform; a motion which had for its object only the formation of a Committee to inquire into the expediency of Reform. We earnestly urge your Honourable House to reconsider this subject; which, as inseparably connected with the peace and prosperity of our country, we have most seriously at heart; being confidently persuaded that the disfranchisement of decayed Boroughs, the extension of elective rights to populous Towns, and triennial Parliaments, so far from being incroachments upon the Constitution of this Kingdom, are indispensibly necessary for its preservation.—And your Petitioners will ever pray, &c.

ADDRESS TO SIR FRANCIS BURDETT, BART.

“Sir; Subjects of the same Realm, exposed to the same power, amenable to the same laws with yourself, and equally embarked in the cause of Parliamentary Reform, we feel it would be a dereliction of our duty, and an abandonment of principle, were we to omit addressing you on your present confinement in the Tower of London.—Your conduct, as a representative of the people, has obtained our highest approbation, and we, in return, give you our sincere and heart-felt thanks. We have seen you systematically and honourably abstain from those party struggles and contentions which so frequently occur in the House of Commons; struggles and contentions, in which, personal ambition and the emoluments of office, too often predominate over the more important considerations of public good. With equal satisfaction we have seen you appropriate your time and your talents to questions,

generally perhaps, less attractive and imposing, but in our estimation, of far superior moment, and of more salutary effect; the oppressed individual has in you found a ready, and an able advocate, and the public peculator a determined enemy; by your research and exertions great constitutional questions have been elucidated, the provisions of the grand Charter of British Freedom have become more generally known, its blessings more extensively felt, and its value more highly and more accurately estimated, and though we lament that those exertions have subjected you to great privations and much personal inconvenience, we rejoice that the right of the House of Commons to “imprison without the intervention of a jury” is, by your perseverance, shortly to be decided upon in a court of law. Yet when we contemplate the important interests involved in this decision, we confess, we tremble for the result, because we feel sincerely and warmly attached to the Constitutional Government of our Country, as a Government not arbitrary and capricious, but of known, defined, and positive law; securing to the people trial for imputed offences, which we regard as the basis of all political freedom, and without which, no liberty can possibly exist. Feeling strongly this rational attachment to the wholesome provisions and good enactments of our forefathers, we protest against the exercise which has been made of an undefined and undefinable privilege by the hon. the House of Commons, in the imprisonment of John Gale Jones and yourself, for alledged offences, which, in our opinion, are cognizable only in the established courts of law.—Sir, we regard power without right as one of the most odious objects that can be presented to the human imagination, and we deprecate its establishment as a part of the Government of our Country, because we know that wherever it is suffered to exist its influence and its operations must of necessity be deadly and malignant. No salutary provision can flourish within its reach. We know likewise, “that unlimited power is apt to corrupt the minds of those who possess it, and that where law ends, tyranny begins.” Permit us, Sir, before we quit this part of our subject, to enquire, in the language of the great Chatham, when speaking of this assumption of power by the Hon. the House of Commons; “What is this mysterious power, undefined by law, unknown to the

subject, which we must not approach without awe, nor speak of without reverence, which no man may question, but to which all men must submit."—Sir, having expressed our approbation of your conduct, and given you our sincere and heartfelt thanks, we have only to add to our wishes, that restored to your family and to the public, whose cause you assiduously serve, even from the recesses of a prison, you may long continue in perfect health, the delight of the one, and the boast and admiration of the other, the example to all good men, and the dread and terror of evil doers."

TOWN OF NOTTINGHAM.

At a numerous Public Meeting of the Electors and inhabitant Housekeepers of the said Town, convened by the Mayor, at the Guildhall in the said Town, on Monday the 28th day of May, 1810, in compliance with a Requisition of many respectable Electors and Housekeepers, and thence, for want of sufficient room, adjourned to the Market-place. Mr. ALDERMAN HOWITT in the Chair; the following Resolutions were passed unanimously:—

Resolved, 1. That the Constitution of this kingdom, contained in the Great Charter signed by King John, and confirmed by the Bill of Rights, at the glorious Æra of the Revolution, possesses our highest approbation and veneration, and shall ever obtain our cordial support as being the Birthright of Englishmen.

2. That the violation of any of the Clauses of these Bulwarks of the Constitution is an infringement on the liberties of Britons, and deserves our severest animadversions and unqualified censure.

3. That, by Magna Charta it is established, that "No Freeman shall be taken or imprisoned, or dispossessed of his free Tenement and Liberties, or outlawed or banished, or any wise hurt or injured, unless by the legal judgment of his Peers, or by the Law of the Land;" that this Right was further confirmed by a Statute passed in the Reign of Edward the Third, enacting that "No man of what state or condition soever, shall be put out of Land or Tenement, nor taken, nor imprisoned, nor disinherited, nor put to death, without being brought in answer by due process of the Law;" that in the Bill of Rights it is declared, "That the pretended power of suspending Laws, or the execution of

Laws by regal (much less by any other) Authority, without consent of Parliament, is illegal;" and it is further added, that "We do claim, demand, and insist upon all and singular the Premises as our undoubted Rights and Privileges."

4. That with regret and indignation we learn that one Branch of the Legislature alone, the Commons House of Parliament, has assumed to itself the Offices of Prosecutor, Judge, Jury and Executioner; that this Honourable House has immured within the walls of a Prison, and detained during its pleasure, one of our fellow subjects, upon a Charge cognizable in our Common Courts of Law, where he might have been legally tried by twelve of his Peers; that by the command of this same Honourable House, another of our fellow Subjects, the Friend of the People, the Defender of our Liberties, for an Appeal to his Constituents, (which we conceive not only to be the Right but the Duty of every Representative,) has been dragged from his House, his Castle, by an Army of Soldiers, and imprisoned in the Tower.

5. That we are the more alarmed at this assumption of Privilege, on account of the partiality with which it is exercised; that it appears to us to originate in a determined wish to subvert the Liberties and Rights of Britons, and to destroy the Spirit of the British Constitution; for whilst the vilest State Delinquents, who suck the Heart's-blood of the Constitution, and consume its very vitals, escape unpunished; the attack is levelled against its best friends, its most firm Supporters; and whilst the man who endeavours to exclude the People from a knowledge of the Conduct of their Representatives, and who with ignominy and contempt is hurled from his station by his justly incensed Constituents, is elevated to a post of high Dignity, Honour, and Responsibility, the Petitions and Remonstrances of Thousands of the most enlightened Britons are contemptuously dismissed.

6. That we cannot in language sufficiently strong express our detestation at the Crimes, and our Contempt of the Imbecility of those Ministers who have been the Authors of all the recent Sufferings and Calamities of Britons; Men who appear to us equally weak and wicked; Men who can send Thousands of the bravest British Heroes to perish by Disease and Pestilence, lest, forsooth, they should be thought to be actuated "by the rigid precepts of Cold Precaution."—Men who

have planted Cannon in our Streets to overawe the Public Voice; Men whose object, as far as we can judge from their Conduct, appears to be to drive the People to Desperation, but who have hitherto been unsuccessful in their Detestable Attempt; Men who are our Sovereign's greatest Enemies, by endeavouring to expose his Name to Odium, in order to screen themselves from an Awful Responsibility; Men who have entwined Laurels on the brow of England's Enemy, but are their Nation's Curse, and their Country's Feldest Foes.

7. That with the deepest Sorrow we lament, that, in the midst of these Grievances and Calamities, we have turned our eyes in vain for the preservation of our Rights and Privileges, to that Band of Senators which formerly possessed our Confidence and Support; we lament, that they have disappointed the Hopes and Expectations of the Country. But whilst we watch them with an eye of jealousy and mistrust, we shall be ready to return to them, when they return to the defence of the People's Cause, and give us a solemn Pledge of their Disinterestedness and Sincerity.

9. That this Meeting present a Petition to the Honourable House of Commons, praying for a Parliamentary Reform, &c. and that the said Petition be transmitted to Daniel Parker, Coke, and John Smith, Esquires, our Representatives, for presentation; who are hereby instructed to support the same.

10. That this Meeting present an Address to Sir Francis Burdett, expressive of their Gratitude for his Patriotic Conduct in defence of our Liberties.

11. That the Thanks of this Meeting be given to Lord Erskine, to Lord Cochrane, to Lord Folkestone, to Sir Samuel Romilly, to Mr. Whitbread, to Colonel Wardle, and to General Matthew, for their undeviating upright Conduct on all public Occasions, when the Liberty and Independence of their Countrymen have called for their Exertions.

12. That the Thanks of this Meeting be given to Mr. Brand, for his Motion to obtain a Reform in Parliament; to our worthy Representative, John Smith, Esq.; and to the other One Hundred and Thirteen Members of the House of Commons, who supported the same.

WILLIAM HOWITT, Chairman.

PETITION to the Honourable the Commons of the United Kingdom of Great Britain, in Parliament assembled.

Sheweth; That whilst most of the nations on the Continent of Europe have been sunk in Despotism, and in consequence involved in Anarchy, it has been the glory of England to possess a Limited Monarchy, a happy Constitution, consisting of King, Lords, and Commons in Parliament assembled. That we hail with rapture that Branch of the Legislature which forms the Democracy of the Constitution, the House of Commons, receiving it as the peculiar blessing of Englishmen, the Palladium of our Liberties, on the preservation of which depends the salvation of our Country. That we cannot therefore be justly charged with any wish to lower the dignity of this branch of our Constitution, when we humbly request a patient hearing of our grievances, and a redress of what we conceive to be our wrongs.—Under this conviction, we beg leave to call the attention of your Honourable House to a Statement offered to be proved at your bar, and still remaining uncontradicted on your Journals, that 300 Members of your Honourable House, comprising nearly one-half of your whole number, are in fact returned to your House by 150 Peers. We appeal to your Honourable House whether this glaring fact be not in direct opposition to the original design of your Constitution? whether the Commons House of Parliament, instead of being a check upon the Lords and upon the Throne, is not in danger of becoming, by this means, a humble dependant upon the Aristocracy, or the tool of the Crown? whether it be probable that the sentiments of the Peers should in every respect accord with the sentiments of the People, whose Guardians and Representatives the Commons are expected to be.—We are induced to make this appeal at the present time in consequence of several recent occurrences, in which a Majority of your Members has not only acted in opposition to the voice of the People, but (we are compelled to state) has, in our estimation, violated the Liberties and Birth-rights of Englishmen. We pray that you would coolly and deliberately review that clause in the Bill of Rights, upon which Mr. John Gale Jones was arraigned at your Bar, and condemned to confinement in a Prison during your pleasure. We ask, whether

the Clause, which he was charged with having violated, "That the Freedom of Speech, or Debates and Proceedings in Parliament, ought not to be impeached or questioned in any Court or Place out of Parliament," was not intended to check the encroachments of a despotic King upon the Liberties of the People, not to screen their Representatives from the People's animadversion? In proof that this was its meaning, we refer you to the last Clause in the same glorious Bill, which states, "That no Declarations, Judgments, Doings or Proceedings to the prejudice of the People in any of the said Premises, ought in any wise to be drawn hereafter in consequence or example." We ask whether your Honourable House have not converted one Clause "to the prejudice of the People," and by depriving a British Subject of his Liberty, without a Trial by his Peers, acted with "a Vigour beyond the Law?"—We also beg leave to state to your Honourable House our opinion, that it is not only the Right but the Duty of every Representative to lay before his Constituents the motives of his public Conduct, and appeal to them for their sanction and approbation. Impressed with this conviction, we learn with sorrow, that Sir Francis Burdett, for a statement of his opinions to his Constituents, has been dragged from his family and home, by an order of your Honourable House, and conveyed by an Army of Soldiers to the Tower.—Whilst the utmost stretch of power is exercised upon those who, in our opinion, are not merely innocent, but deserving of the gratitude of their country, we observe with concern and mortification that the highest State Delinquents incur not even so much as your censure. Lord Castlereagh, an acknowledged trafficker of Seats in your Honourable House, is politely excused, and kindly forgiven. Your Honourable House has refused even to inquire into the conduct of Mr. Perceval, the First Minister of the Crown, though charged with conniving at practices "at which our ancestors would have startled with indignation," because those practices "are as notorious as the noon-day sun."—These, and other grievances, imperiously demand us to call for a thorough Reform of the House of Commons. We therefore humbly, but urgently pray, that, as a preliminary step, you will immediately order the liberation of John Gale Jones, and Sir Francis Bur-

dett, and then lend every assistance in your power to the latter, towards the attainment of a complete Reform in our Representation. We are confident that we utter the sentiments of millions of Britons, when we appeal to the noblest feelings by which man can be actuated, the love of his fellow men, when we address ourselves to the cool dictates of your unbiassed judgment, when we call upon you, for the preservation of your own dignity, to grant us a radical Reform.—We believe that the happiness of the Nation, and the salvation of the Country, depend upon it. Only let the House of Commons be the fair Representatives of the people, and we are persuaded that they will have no occasion to complain of the violation of their Privileges; for their Privileges and our Liberties would ever accord. Around such a House of Commons, the People of England would rally with enthusiasm and rapture; they would unite with them in one Common Cause, and be ready to shed the last drop of their blood in their protection and defence.

LIVERPOOL PETITION.

To the Honourable the Commons of the United Kingdom. The Humble PETITION of the undersigned INHABITANTS of the TOWN and NEIGHBOURHOOD of LIVERPOOL.

Sheweth,—That in the year 1793, his Majesty, by the advice of his then Ministers, engaged in a war against France for the purpose of curbing the power of that country, and circumscribing its limits.—That, in the prosecution of the said war, various military expeditions have been planned and conducted, by successive administrations, which expeditions have almost uniformly failed in accomplishing the objects for which they were undertaken.—That in proof of this assertion, your Petitioners beg leave to call to the recollection of your Honourable House the Expedition to Flanders in the year 1793—the descent upon Quiberon Bay in 1794—the Invasion of Holland in 1799—the Attack on Constantinople in 1807—the Expedition to Egypt and Buenos Ayres in the same year—the disgraceful Convention of Cintra—the Campaign of Sir John Moore in Spain—and the retreat of Sir Arthur Wellesley, after the victory at Talavera, where he left his sick and wounded to the mercy of the enemy.—

And they particularly beg leave to call to the recollection of your Honourable House that his Majesty's present Ministers did, in July last, fit out an armament of a magnitude unexampled in the annals of this Country, for the purpose of taking the City of Antwerp, and destroying the ships and stores which might be found in that port—and that the said armament returned home without effecting the object of its equipment, and having its numbers miserably thinned by a disease, the certainty of the occurrence of which seems to have been known to every body—his Majesty's Ministers alone excepted.—Your Petitioners further beg leave to represent to your Honourable House, that in considering the foreign policy of the different administrations who have managed the war with France, they find, that whereas, on our entrance into the said war, all the great powers of Europe were in alliance with us, they are now arranged on the side of the enemy; and, that the general result of the present long protracted hostilities is, that, notwithstanding the most gallant exertions on the part of his Majesty's fleets and armies, the limits of France, instead of being contracted, are greatly extended, and that her power, instead of being checked, reigns paramount throughout almost the whole of Europe.—Your Petitioners, moreover, beg leave humbly to state, that their feelings on the above-mentioned subjects are greatly aggravated by the scandalous system of Peculation, which has of late years been disclosed, and by the profuse expenditure of public money, which has occasioned the grievous weight of Taxation under which the nation now labours.—Your Petitioners do humbly conceive, that a long train of misfortunes, such as we have enumerated, and the consequent diminution of the relative strength, and political influence of the nation, must be imputed as matter of blame, either to the commanders employed to execute the measures of Government, or to Ministers, who, by the unskilfulness of their plans, have lost attainable objects, or by their folly and obstinacy have wasted the efforts of the nation on objects which are unattainable.—And yet your Petitioners are compelled to state, that save in the case of

the Commander of the Expedition to Buenos Ayres, no individual, either Minister or General, has been brought to punishment, as being accountable for the losses and misfortunes which have befallen the British Arms. That on the contrary, the plan and conduct of one disastrous Expedition after another, stands vindicated on the Journals of your Honourable House; and that nothing appears there to deter his Majesty's Ministers from again wasting the blood and treasure of the country, as they have lately done in the Expedition to Walcheren.—Your Petitioners further beg leave to state, that they are humbly of opinion, that this impunity of the planners and conductors of disastrous enterprises, and the consequent repetition of such enterprises, is no otherwise to be accounted for, than by the mode in which many of the Members of your honourable House obtain Seats therein; and especially by the introduction into your honourable House of numerous Placemen, Pensioners, and dependants on the Minister for the time being, whom your Petitioners humbly conceive to have an obvious interest, in forbearing to condemn, when condemnation would remove from office, those to whom they look up for fortune and influence.—Your Petitioners further beg leave to state, that this their opinion has of late been strongly confirmed, by the open defence of the system of Parliamentary corruption, which, during the last Session of Parliament, was set up in your honourable House, and which drew from your Speaker the memorable remark, that the practices so defended, were "practices, at the mention of which our ancestors would have started with indignation and disgust."—Your Petitioners have been still more strongly confirmed in the opinion above stated, by the fact, that lord Viscount Castlereagh, a Member of your honourable House, was, in the said Session, convicted of the two-fold offence of offering East India patronage in barter for a Seat in your honourable House; and that this offence, and the vindication of the system of corruption above alluded to, were passed over by your honourable House without any vote of censure thereon.

(To be continued.)